

Reconsideration and withdrawal of the outstanding objections and rejections are respectfully solicited in view of the foregoing amendments and the following remarks.

The Examiner is courteously requested to enter this Amendment. This Amendment could not have been presented earlier as it was earnestly believed that the claims on file would be found allowable. With this Amendment, the total number of claims remains the same, as does the total number of independent claims.

Claims 1-3 and 5 have been rejected under 35 U.S.C. § 102(e) over the patent to Hirokane, et al. Claim 6 has been rejected under 35 U.S.C. § 102(b) over the patent to Ohta, et al. In addition, Claim 7 has been allowed.

The allowance of Claim 7 is gratefully acknowledged.

In response to the rejections under 35 U.S.C. § 102, while not conceding the propriety thereof, Claim 6 has been amended, and the rejection of Claims 1-3 and 5 is respectfully traversed.

Independent Claim 1 recites that a first magnetic layer of a magnetooptical recording medium has an in-plane magnetization at a room temperature range, which changes to a perpendicular magnetization at a medium temperature range, and changes to an in-plane magnetization at a high temperature range when the temperature of an intermediate layer reaches the Curie temperature.

By this arrangement, the first magnetic layer need not inherently be capable of returning to in-plane magnetization in the high temperature range, because such a return can be made possible when the intermediate layer is heated to its Curie temperature in the high temperature range. Accordingly, a broader range of materials can be used for the first magnetic layer.

In contrast, the Hirokane, et al. patent discloses a first magnetic layer 1 which is an in-plane magnetization film at room temperature and is changed to a vertical magnetization film at a temperature not less than T_{p1} . There does not appear to be any disclosure that this layer changes back to an in-plane magnetization in a high temperature range when the temperature of an intermediate layer reaches its Curie temperature, as required by independent Claim 1. For this reason, it is submitted that independent Claim 1 is allowable over the Hirokane, et al. patent.

Moreover, Applicant will shortly file a certified translation of Japanese Priority Document No. 5-038138, removing the Hirokane, et al. patent as a reference, since the February 26, 1993 filing date for this priority document is prior to the August 5, 1993 filing date for the Hirokane, et al. patent.

Turning to Claim 6, this claim has been amended to recite a first magnetic layer which has an in-plane magnetization at a room temperature range and changes to a perpendicular magnetization in a medium temperature range, just like a third magnetic layer which is interposed between the first magnetic layer and a second magnetic layer, and which has a Curie temperature lower than the first and second magnetic layers. By this arrangement, since the first magnetic layer and a third magnetic layer are in-plane magnetized at room temperature, it is possible to mask the magnetic information of the second magnetic layer without requiring an initial magnetic field to magnetize these layers.

In contrast, the Ohta, et al. patent, in Figure 21B, shows a first magnetic layer 110 which is always a perpendicular magnetic layer once it is so oriented by an initialising magnetic field. As a result, the layer 110 will mask the magnetic information in the recording layer 130. Thus, this patent does not disclose or suggest a first magnetic layer having an in-plane magnetization at a room temperature range which changes to a perpendicular magnetization in a medium temperature range, as recited by amended independent Claim 6.

In addition, the Ohta, et al. patent discloses in Figure 24A, an intermediate layer 120b which has a Curie temperature higher than that of the other magnetic layers 110 and 130, as shown in Table 1 in column 17. Consequently, this portion of the Ohta, et al. patent does not disclose a third magnetic layer interposed between first and second magnetic layers having a Curie temperature lower than those of the first and second magnetic layers, as recited by amended Claim 6.

For these reasons, it is submitted that amended independent Claim 6 is allowable over the Ohta, et al. patent.

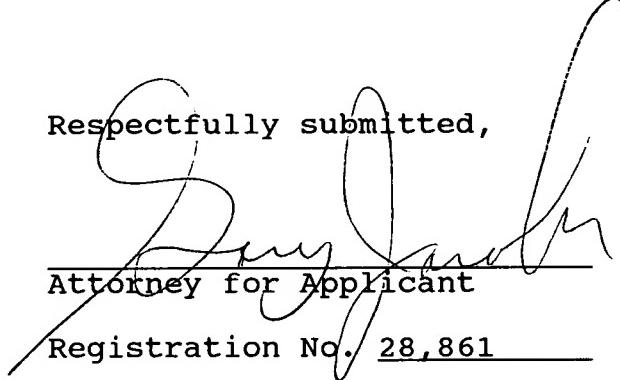
The dependent claims are allowable for the reasons given with respect to the independent claims and because they recite features which are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention, as defined by the claims.

In view of the above amendments and remarks, the claims are now in allowable form, and entry of this Amendment is considered proper. Therefore, early passage to issue is respectfully solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 347-8100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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